

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

DASHUNA RICHARDS and
EDDIE HARRIS,

Plaintiffs,

Civil Case No. 16-13520
Honorable Linda V. Parker

v.

CITY OF JACKSON and
MATHEW PETERS, in his
individual and official capacities,

Defendants.

**OPINION AND ORDER GRANTING DEFENDANT'S MOTION FOR
STAY OF PROCEEDINGS (ECF NO. 64)**

Defendant, Mathew Peters, filed a Notice of Appeal from this Court's August 27, 2018 Order granting, in part, and denying, in part, Defendants' Motion for Summary Judgment. (ECF Nos. 45, 59 & 62.) In due course, Defendant has requested the Court, through the instant motion, to stay proceedings pursuant to Fed. R. Civ. P. 62(b)(4) and Fed. R. App. P. 8(a)(1)(A). (ECF No. 64.)

A proper notice of appeal divests the district court of jurisdiction and transfers jurisdiction to the court of appeals. *Lewis v. Alexander*, 987 F.2d 392, 394 (6th Cir. 1993). Therefore, as a matter of course, the Court will grant Defendant's motion for stay of proceedings pending the disposition of Defendant's appeal.

Accordingly,

IT IS ORDERED that Defendant's motion for stay of proceedings (ECF No. 64) is **GRANTED**.

IT IS SO ORDERED.

s/ Linda V. Parker
LINDA V. PARKER
U.S. DISTRICT JUDGE

Dated: October 15, 2018

I hereby certify that a copy of the foregoing document was mailed to counsel of record and/or pro se parties on this date, October 15, 2018, by electronic and/or U.S. First Class mail.

s/ R. Loury
Case Manager